Attorness ocket No.: 0140-1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Alan Jaffee

Group Art Unit:

Examiner:

1773 N/A

Serial No.:

10/608,790

June 27, 2003

Filed: For:

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**GYPSUM BOARD AND PROCESS OF** 

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Matter No.:

0140-1

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.97(b)

In accordance with the duty of disclosure under 37 CFR §1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the following documents, which are listed on the attached PTO-1449 Form. The Examiner may deem these documents to be relevant to patentability of the claims of the above-identified application. A copy of each of the documents is enclosed for the convenience of the Examiner.

The submission of the listed documents is not intended as an admission that any of the documents constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

It is understood that no fee is necessary for submission of this Information Disclosure Statement, as it is being filed before the later of three months from the filing date or the mailing of the first Office Action on the merits.

For the reasons set forth above, it is submitted that no additional fee is required for this Information Disclosure Statement. However, in the event that the Commissioner deems that an additional fee is required, it is respectfully requested that applicant's attorney be contacted and accorded an opportunity to pay such additional fee.

Respectfully submitted,

## **Enclosures**

Robert D. Touslee Associate General Counsel Intellectual Property Johns Manville International, Inc. 10100 West Ute Avenue Littleton, Colorado 80127

Dated: 12/08/03

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an anydops addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Signature

Attorney of Record

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(Date)

| FORM PTO-1449<br>(Rev. 2-32)                   | U.S. DEPARTMENT<br>PATENT AND TRAI | OF COMMERCE<br>DEMARK OFFICE | ATTY. DOCKET NO: 0140-1       |                | SERIAL NO.:<br>10/608,790 |  |        |  |
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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT  |                                    |                              | APPLICANT: Alan Jaffee et al. |                |                           |  |        |  |
| ncc 1 8 2003 (Usa several sheets if necessary) |                                    |                              | FILING DATE: June 27, 2003    | GROUP:<br>1773 |                           |  |        |  |
|  |                                    | DOCUMENTS                    |                               |                |                           |  |        |  |
| BY SMINER INCLUDING                            | DOCUMENT NUMBER                    | DATE                         | NAME                          | CLASS          | SUBCLASS                  | FILING I                                     |        |  |
|  | 4,647,496                          | 03-03-87                     | Lehnert et al.                | 428            | 251                       | 02/2   | 7/84   |  |
|  | 4,722,866                          | 02-02-88                     | Wilson et al.                 | 428            | 411.1                     | 05/0   | 4/87   |  |
|  | 4,784,897                          | 11-15-88                     | Brands et al.                 | 428            | 219                       | 11/1   | 2/85   |  |
|  | 4,879,173                          | 11-07-89                     | Randall                       | 428            | 285                       | 01/0   | 6/88   |  |
|  | 5,079,078                          | 01-07-92                     | Jutte, Jr. et al.             | 428            | 251                       | 01/29/90<br>08/06/91<br>06/27/91<br>02/19/92 |        |  |
|  | 5,148,645                          | 09-22-92                     | Lehnert et al.                | 52             | 443                       |  |        |  |
|  | 5,220,762                          | 06-22-93                     | Lehnert et al.                | 52             | 408                       |  |        |  |
|  | 5,371,989                          | 12-13-94                     | Lehnert et al.                | 52             | 309.17                    |  |        |  |
|  | 5,395,689                          | 03-07-95                     | Seth et al.                   | 428            | 283                       | 07/2   | 0/90   |  |
|  | 5,397,631                          | 03-14-95                     | Green et al.                  | 428            | 219                       | 07/19/93                                     |        |  |
|  | 5,735,092                          | 04-07-98                     | Clayton et al.                | 52             | 309.9                     | 09/23/96                                     |        |  |
|  |                                    | FOREIGN PATI                 | ENT DOCUMENTS                 |                |                           |  |        |  |
|  |                                    |                              |                               |                |                           | TRANSI                                       | LATION |  |
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|  | OTHER DOCUM                        | ENTS(Including A             | uthor, Title, Date, Pert      | inent Pages    | s, etc.)                  |  |        |  |
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Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| FORM PTO 1449 U.S. DEPARTMENT OF COMMER PATENT AND TRADEMARK OFFI |   |                 |                               | SERIAL NO.:<br>10/608,790 |          |                               |       |  |
|---|---|-----------------|-------------------------------|---------------------------|----------|-------------------------------|-------|--|
| INFORMATION DISCLOSURE  DEL 0 8 2003 STATEMENT BY APPLICANT       |   |                 | APPLICANT: Alan Jaffee et al. |                           |          |                               |       |  |
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| U.S. PATENT DOCUMENTS   |   |                 |                               |                           |          |                               |       |  |
| EXAMINER<br>INITIAL   | DOCUMENT NUMBER                                   | DATE            | NAME                          | CLASS                     | SUBCLASS | FILING DATE IF<br>APPROPRIATE |       |  |
|   | 5,772,846   | 06-30-98        | Jaffee                        | 162                       | 145      | 01/09/97                      |       |  |
|   | 5,791,109   | 08-11-98        | Lehnert et al.                | 52                        | 309.17   | 11/06/96                      |       |  |
|   | 5,883,024   | 03-16-99        | O'Haver-Smith et al.          | 442                       | 333      | 09/02/97                      |       |  |
|   | 5,891,563   | 04-06-99        | Letts                         | 428                       | 318.4    | 10/08/96                      |       |  |
|   | 5,981,406   | 11-09-99        | Randall                       | 442                       | 71       | 01/23/98                      |       |  |
|   | 6,001,496   | 12-14-99        | O'Haver-Smith                 | 428                       | 703      | 08/16/96                      |       |  |
|   | 6,044,604   | 04-04-02        | Clayton et al.                | 52                        | 309.9    | 08/10/98                      |       |  |
|   | 6,110,575   | 08-29-00        | Haga                          | 428                       | 294.7    | 1 <sup>1</sup> /10/97 -       |       |  |
|   | 6,187,697 B1                                      | 02-13-01        | Jaffee et al.                 | 442                       | 149      | 12/31/98                      |       |  |
|   | 6,294,253 B1                                      | 09-25-01        | Smith Jr.                     | 428                       | 361      | 08/11/99                      |       |  |
|   | 6,365,533 B1                                      | 04-02-02        | Horner, Jr. et al.            | 442                       | 374      | 08/18/99                      |       |  |
| •   |   | FOREIGN PAT     | ENT DOCUMENTS                 |                           |          |                               |       |  |
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|   | OTHER DOCUM                                       | ENTS (Including | Author, Title, Date, Per      | tinent Pages              | s, etc.) |                               |       |  |
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| RAV. 2-345 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE |                         | ATTY, DOCKET NO:<br>0140-1 | SERIAL NO.<br>10/608,79       | erial no.:<br>0/608,790   |            |          |                 |                   |
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| DEC 0 8 2003 STATEMENT BY APPLICANT                                |                         |                            | APPLICANT: Alan Jaffee et al. |                           |            |          |                 |                   |
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|  |                         |                            | U.S. PATENT                   | DOCUMENTS                 |            |          |                 |                   |
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|  |                         | 6,368,991 B1               | 04-09-02                      | Horner, Jr. et al.        | 442        | 374      | 08/18/99        |                   |
|  |                         | 6,524,679 B2               | 02-25-03                      | Hauber et al.             | 428        | 68       | 06/06/01        |                   |
|  |                         | US 2003/0032351 A1         | 02-13-03                      | Horner, Jr. et al.        | 442        | 76       | 04/08/02        |                   |
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